IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8425 of 2005

Between:

1 Karri Ramachandra Reddy, S/o. Late Appareddy,
Gangapalem Village, Gokavaram Mandal,
E.G. District.
2 Karri Rama Krishna Reddy, S/o. Late Ramachandra Reddy,
Gangapalem Village, Gokavaram Mandal,
E.G. District.

..... PETITIONERS

AND

1 The Sub Collector, Rajahmundry, E.G.Dist.
2 The M.R.O., Gokavaram Mandal, Gokavaram, E.G.District
3 The Additional Revenue Inspector, Gokavaram, E.G.District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of the 2nd respondent in Ref.A296/03 dt.15-04-2004 as highly illegal, arbitrary, unjust improper and without Jurisdiciton and consequently set aside the same.

Counsel for the Petitioners: MR.BADANA.BHASKARA RAO

Counsel for the Respondents: GP FOR REVENUE

This Court at the stage of admission made the following:

ORDER**:**

This writ petition is filed aggrieved by the order passed by the second respondent, dated 15.04.2004, whereunder the land in possession of the petitioners was resumed in exercise of powers under the provisions of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act').

Though the learned counsel for the petitioners raised various contentions, I am not inclined to express any opinion on merits, since admittedly, an alternative remedy of appeal is available under the Act against the impugned order. As a matter of fact, the petitioners have already preferred such an appeal on 26.07.2004.

However, the learned counsel for the petitioners states that though the petitioners preferred an appeal on 26.07.2004 itself along with an application seeking stay of the impugned order, the first respondent failed to consider the same, and in the meanwhile the impugned order is sought to be implemented and steps are being taken to dispossess the petitioners from the lands in question.

Having heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents and keeping in view the fact that the petitioners have already filed the statutory appeal, which is pending before the first respondent, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the application seeking stay of the order, dated 15.04.2004, in the appeal filed by the petitioners, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. Till such time, the status-quo obtaining as on today as to the nature and possession of the land in question shall be maintained. No order as to costs.

G.ROHINI, J

15.04.2005

DR

To

1 The Sub Collector, Rajahmundry, E.G.Dist.
2 The M.R.O., Gokavaram Mandal, Gokavaram, E.G.District
3 The Additional Revenue Inspector, Gokavaram, E.G.District

4 2 CCs to Government Pleader for Revenue,

High Court Buildings, Hyderabad. (OUT)

5 2 CD copies

6 1 CC to MR.BHASKARA RAO